# CONFERENCE ON DISARMAMENT

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FINAL RECORD OF THE FIVE HUNDRED AND FORTY-FOURTH PLENARY MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 20 March 1990, at 10 a.m.

President: Mr. Emeke Ayo Azikiwe (Nigeria)

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The PRESIDENT: I declare open the 544th plenary meeting of the Conference on Disarmament.

In accordance with its programme of work, the Conference begins today its consideration of agenda item 4, "Chemical weapons". In conformity with rule 30 of its rules of procedure, however, any member wishing to do so may raise any subject relevant to the work of the Conference.

I have on my list of speakers today the representatives of Belgium and Peru. I now give the floor to the representative of Belgium, Ambassador Houllez.

Mr. HOULLEZ (Belgium) (translated from French): First of all, Mr. President, let me say how pleased my delegation is at seeing you presiding over our work since the beginning of March. Your abilities and your authority, universally appreciated by all the participants, offer a guarantee of success for the Conference on Disarmament. Allow me also, on the same occasion, indirectly to congratulate Ambassador Wagenmakers, who brilliantly accomplished the formidable task of starting up the Conference's work in February this year. I would also like to bid welcome to all the new colleagues who have recently joined us and assure them of my delegation's desire to co-operate closely with them.

The events that have been taking place in Europe over the last few months at a very fast rate have featured in the initial statements of the Conference's session, and rightly so, as a phenomenon which is unprecedented and unexpected, at least in terms of scale. The shift from military and ideological confrontation towards co-operation and trust forms the basis of an improvement in international relations, particularly in their East/West context, but also brings with it positive implications world-wide. I think it is wrong to say that everything happened in 1989. Let us rather say that a trend which had been taking shape for some time was speeded up by the adoption of the universal values of pluralist democracy, freedom and human rights more or less everywhere. Nevertheless, the rate at which this change is occurring - however positive it may be - carries with it the risk of a loss of control if the countries involved in these changes do not take the necessary precautions and show the restraint which is required to keep the situation in hand or direct it in a way which guarantees the security, the integrity and the right of all countries. The confidence needed to consolidate this encouraging atmosphere can only be maintained if these conditions are met. Consequently, it is incumbent on all to pursue a policy which, despite the speed of change, has an eye to the longer term - a policy which allows time to consider carefully the future implications of decisions which might otherwise, in a headlong rush, be taken in too much haste or in a too short a perspective. Whatever replaces the last manifestations of the cold war cannot contain the seeds of new difficulties, either in Europe through an uncontrolled spiral taking no account of other people's interests, or in other regions of the world. We also run the risk of seeing the improvement in the climate lead to a lack of interest in arms control or disarmament.

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It might be held that, with restored confidence, the world and public opinion are losing their awareness of the need to reduce arms. Yet arms are the consequence and not the cause of hostility, and there is in fact a need to take advantage of the opportunities afforded by the political climate to strengthen and stabilize it, by drawing up disarmament agreements. It is not important whether such agreements are the result of bilateral consultations or multilateral negotiations, even if it must be recognized that the solution of problems outside Europe should be the result of negotiations involving all the regions or all the countries concerned. We cannot concentrate on Europe alone, where a new form of security is taking shape, provided, as I have already had occasion to say, that we move forward prudently and with realism. Fortunately, the improvement in relations between the two super-Powers also contains potential for the solution of regional problems outside Europe. It would be illogical and sad to see a new European architecture based on new ideas of security and respect for universal values contrasting with an increase in the danger of an outbreak of conflict in other countries of the world.

On several occasions Belgian delegations in New York or here in Geneva have expressed their apprehension at the growing number of countries acquiring ballistic missiles or the technology to produce them or to increase their range, in particular if this phenomenon goes hand in hand with nuclear or chemical capabilities. The proliferation of ballistic missiles in several areas of tension is creating a new security problem, not so much in a global context as in relations between neighbouring countries which often are or consider themselves to be developing countries. It should not be forgotten that among those countries which possess missiles, several have the means to develop chemical or even biological weapons, and some even have the technology to produce nuclear weapons. The number of States which can pose a threat to their neighbours is steadily increasing despite the economic problems which these countries are often facing and the increased risk of proliferation even towards terrorist groups. In most cases this proliferation is due to technology exports or the relative ease of increasing the range and accuracy of imported missiles.

Hence we believe that the improvement in the global system of international relations, while benefiting from changes in the European theatre, in the broadest sense of the term, should lead to new efforts in arms control and disarmament. My delegation is convinced that the Conference on Disarmament has a principal role to play in this attempt to broaden confidence and openness to the world as a whole. If the Conference is to have a chance to contribute here, all the participants will have to decide to rise above the traditional controversies on the role of the Conference which regularly lead us to deadlock, for example, on items 1 (nuclear tests) and 5 (outer space). All delegations are aware of the limits within which these committees can operate, and yet the formula which allows us or would allow us to resume work is or was the cause of considerable delay in starting work. On the subject of the mandate for an ad hoc committee on the cessation of nuclear tests, it is logical that in the search for a compromise each group should proceed from a common basis, which, in this particular case, takes the form of the Vejvoda text - the basis on which the praiseworthy efforts of Ambassadors Yamada and Donowaki could be continued.

(Mr. Houllez, Belgium)

Attempts to create more favourable negotiating conditions unilaterally or to bring pressure to bear through parallel initiatives can only reduce the chances of finding a solution. Consequently, my delegation welcomes the flexibility and moderation which has been shown recently by all the groups, and hopes that the ad hoc committee will be established as soon as possible.

The Conference on Disarmament is the only forum which offers the possibility of reaching the final objective, which, as far as Belgium is concerned, is still the complete cessation of tests once and for all. But this requires realism, in other words a gradual stage-by-stage approach. It is our firm hope that the 1974 Treaty on the limitation of underground nuclear weapon tests and the 1976 Treaty on nuclear explosions for peaceful purposes will soon be ratified and that the bilateral consultations between the United States and the USSR on limiting tests will resume in the fairly near future. I might also mention the possible consequences of the positive prospects concerning the conclusion of the negotiations on 50 per cent reductions in strategic nuclear weapons. As for the prevention of an arms race in outer space, my delegation is convinced that, even within the framework which guided the work of the Ad hoc Committee in 1989, it is possible to tackle and to examine in depth almost all the aspects relating to this matter. It is true that the two super-Powers are engaged in a bilateral negotiating process which, we hope, will soon bear fruit, but it is equally true that activities in space are not the prerogative of only a few, in particular as regards verification and confidence-building measures which can be carried out in space. Hence my delegation believes that talks should also continue multilaterally. Consequently, it expresses satisfaction that the Ad Hoc Committee has been re-established in a spirit of constructive co-operation shown by all the parties. It also wishes to express its warm congratulations to Ambassador Shannon on his election as Chairman of this Ad hoc Committee.

At the last session of the First Committee of the United Nations General Assembly, the Belgian delegation listed the various reasons which led it to resume negotiations on a chemical weapons convention with optimism: the Paris and Canberra conferences, the restructuring of the subsidiary bodies, President Bush's proposals and so on. Since then we may add to these grounds for optimism the encouraging developments in the inter-sessional meetings, which, thanks to the efforts of the Chairman of the Committee, Ambassador P. Morel, have made significant progress possible in the "rolling text". We can also add the contribution made by the documents produced by the bilateral American-Soviet negotiations, the prospects for destruction of American and Soviet stocks even before the Convention enters into force, the improvement in the mandate and the co-operation of a continually growing number of non-member countries in the work of the Ad hoc Committee, a better assurance of large-scale accession to the future convention.

Belgium, which attaches absolute priority to the negotiations on chemical weapons, is aware of the number of important problems still to be settled, such as various aspects of verification, the composition and powers of the Executive Council, the measures to be considered after violations have been detected, the order of destruction, some of the final clauses and co-operation. As we embark on consideration of these problems, and also during the finalization of other parts of the convention, we must draw a

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distinction between substantive problems which can be solved only by means of policy decisions often involving compromises between two different overall approaches (for example multilateralism and bilateralism) and technical details which are of undoubted importance but could be resolved by the preparatory committee or elaborated upon after the convention enters into force. My delegation is afraid that an over-technical approach involving the creation of too many study groups will confirm the risk of concentrating too much time and effort on non-essential aspects. We must also bear in mind that the prime aim of our negotiations is to produce a convention laying down a complete and universal ban on chemical weapons once and for all. This objective has a vertical dimension, namely, the destruction of all chemical weapon stocks belonging to a given State, and the destruction of its CW production facilities, and also a horizontal dimension, namely, the universal nature of the effective, complete and verifiable renunciation of chemical weapons. Belgium believes that we should be able to expect that both dimensions of this objective will be achieved.

For Belgium it is essential for States to state unequivocally their commitment to renounce chemical weapons completely within the context of the future treaty which will provide the legal framework for this commitment. We have always been aware that this treaty would achieve its objective in all its dimensions only if the international community, by acceding to it in large numbers, demonstrates its joint resolve to prove that nothing can any longer justify the maintenance of the CW option. The final aim of our work is not so much to conclude a treaty as to provide ourselves with an effective legal instrument which has every chance of leading us towards the effective, complete and verifiable renunciation of chemical weapons. To achieve this aim, three crucial stages have to be traversed successfully: the conclusion of the treaty, its opening for signature and ratification by all States, which will be the gauge of its universality, and the expiry of the transitional period when the aim of the treaty will have to be achieved in both the vertical and the horizontal dimensions.

In this Conference we are concentrating on the first of these stages in order to ensure, to the greatest extent possible, that the subsequent stages are successfully negotiated. When working on the text of the convention, our Conference must also be aware of the need to reconcile a system which provides as many guarantees of compliance as possible, so as to build confidence, and operation at a reasonable cost, which will enable all countries, great or small, to participate on an equal footing. The verification system has to be sufficiently close-knit to discourage any inclination to violate the provisions by the risk of being caught out in prohibited activities, but it would be too much to seek absolute guarantees. If the risks of violation are greater for chemical weapons because of the many facilities which can produce them and the problems of detecting them, as compared with nuclear weapons, we must also be sufficiently realistic to acknowledge that the numbers of victims in a nuclear conflict would be much higher. We therefore find it illogical to provide for verification systems - and I am thinking in particular of ad hoc inspections of undeclared facilities - whose cost might represent 10 or more times the budget of the IAEA inspection operation, that is to say about $25 million per year. Finally, I would like to say that we should pursue our efforts on chemical weapons with the aim of concluding a convention providing for a total ban in the near future because, as several colleagues

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have already stressed, time is not on our side. This means that any other measure, even if it is effective in present circumstances, cannot replace a convention drawn up by 40 countries which represent the whole world in its geographical and political dimensions.

With the happy prospect of a convention taking shape in the fairly near future, I wish to confirm that Belgium remains ready to host the headquarters of the organization.

I am aware that I have not gone into the details of the various problems facing our Conference, but my delegation will have occasion to return to the subject either in future plenary meetings or in the ad hoc committees which already exist or which have yet to be established. My particular concern was to stress the role of our Conference at the centre of the tide of events around us, and to indicate some of the paths we could follow to obtain the rapid results that are needed.

The PRESIDENT: I thank the representative of Belgium for his statement and for the kind words he addressed to the Chair. I now give the floor to the representative of Peru, Mr. Gutiérrez.

Mr. GUTIERREZ (Peru) (translated from Spanish): The delegation of Peru would like to take this opportunity to make one or two brief comments on item 5 on our agenda, "Prevention of an arms race in outer space". However, my delegation would first like to restate its permanent readiness to co-operate so that during the current month the Nigerian presidency of the Conference on Disarmament, in the person of Ambassador Azikiwe, may achieve significant progress. Likewise, we wish to thank Ambassador Wagenmakers of the Netherlands for his fruitful work in leading our efforts during the month of February.

A few days ago we adopted a mandate for the establishment of an Ad Hoc Committee to deal with the arms race in outer space. Nevertheless, as was very well stated by Ambassador Marín, we did no more than perpetuate a ritual, by means of which we perform the function of gathering ideas and proposals - most of them very useful and with great potential for being developed - without facing up to the essential decision related to this problem, which is to start substantive work on a legally binding convention that will ban all types of weapons from outer space. Arguments such as the need to carry out further analysis of the proposals that we have accumulated over the past five years do nothing but sidestep the question of the urgency with which most of the participants in this Conference view the need to refine the legal régime applicable to outer space.

Several of the distinguished speakers who have taken the floor in this forum over the past weeks have spoken to us about the frenzy of change that is taking place on the international political scene. This "revolution of '89", as some call it, may yet produce tangible results in various sectors of disarmament. We are pleased that in areas such as the limitation of strategic weapons and nuclear tests, or the reduction of troops and chemical stockpiles, we can definitely say we are making progress. Of course we need to have a much more organic and complete link between these achievements and the work of this Conference. Nevertheless, we cannot deny their contribution to

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international détente. Yet at the same time that we see all this progress being made, we cannot refrain from noting that in outer space, where the future impact of international co-operation could be very promising, we are experiencing growing militarization that in a short time could deteriorate into an arms race which, in a different environment, would revive phases of confrontation among Powers that we are currently striving to overcome.

Faced with this paradox, it is fair to ask: what justification is there for the development of an arms race in outer space? We have been told in this forum that arms control and disarmament are not ends in themselves but merely means to achieve a more important objective, that of enhancing security - international security, that is; and that in that context military activities in space have a stabilizing function and are vital components of deterrence and strategic stability. My delegation can only accept this reasoning if it involves identifying military activities in space with verification functions from outer space. But we believe that this reasoning breaks down totally when we introduce an element that destabilizes the strategic balance, such as one Power's control of arms technology which could make the capability of the other Power inoperative or limit it significantly. Indeed, I do not think it is fanciful to say that some politically radical circles in the Powers might come to believe that with effective technology which could deal with an attack by the other Power by neutralizing it from outer space and at the same time jam its satellite observation systems, there could be a winner in a nuclear war. And it is precisely views of this type, promoted by the escalation of the arms race in space, which, far from encouraging deterrence and strategic stability, generate a climate of insecurity that affects mankind as a whole.

We agree unreservedly with one of the conclusions set out in an important legal study submitted by a Latin American delegation last year, that any activity carried out in space which affects the security of a subjacent State is unlawful in accordance with article 1, paragraph 1 of the 1967 outer space Treaty. This is so because the Treaty clearly states that the use of outer space shall be carried out for the benefit and in the interests of all countries, irrespective of their degree of development, and that such use shall be the province of all mankind. Hence, we are speaking here of a legally binding obligation that has been subscribed to by more than 110 States, including all the nuclear-weapon States. Given this obligation it will not do to argue that it was imposed by a majority or that an appeal is being made to feelings and not to reality. It is necessary to accept and carry out what has been voluntarily agreed by practically all our countries.

As was very well described a few days ago by the representative of Mexico, the concern of the United Nations with regard to the situation in outer space began in 1957 with the inclusion of the item entitled "Question of the peaceful use of outer space" in the General Assembly's agenda. Ten years later the Treaty on Principles Governing the Activities of States in the Exploration and Use of Outer Space, including the Moon and Other Celestial Bodies was open for signature. When that Treaty was negotiated, the possibility that space-based anti-satellite weapons or defence systems could be developed was not foreseen. In fact, the Treaty is a response to the challenges that space technology created in the 1960s. Unfortunately, the Treaty has become somewhat limited for the level of development of modern

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weapons. It is for that reason that last year my delegation submitted a contribution that is designed to update the level of commitment laid down in article IV of the Treaty and bring it into line with present requirements. We consider that that proposal is still valid.

Under the first paragraph of article IV, States parties to the Treaty undertake not to place in orbit around the Earth any objects carrying nuclear weapons or any other kinds of weapons of mass destruction, and not to station such weapons in outer space in any other manner. The problem posed by the scope of this paragraph of article IV is that in expressly prohibiting the placing of a given type of weapon in orbit, it conversely permits the stationing of other types of weapon - a legal loophole exploited by the Powers to develop a new generation of weapons that can be placed in outer space. In order to make up for this shortcoming in the 1967 Treaty temporarily, my delegation believes that it might be useful to consider replacing the first paragraph of article IV by the following text:

"States Parties to the Treaty undertake not to place in orbit around the Earth any objects carrying any type of weapon, install such weapons on celestial bodies or station such weapons in outer space in any other manner".

We believe that this contribution could temporarily help prevent the development of an arms race in outer space, while we await the political momentum that would allow the substantive negotiation of a comprehensive agreement to prevent an arms race in space, which has been requested of us by the United Nations General Assembly.

Over the five years of deliberations we have accumulated a large number of proposals and ideas which, as my delegation has said, we think are possible, desirable and verifiable. We believe that if the Ad hoc Committee, under the wise guidance of Ambassador Shannon, manages to establish a programme of work this year that accommodates substantively and comprehensively the concerns and interests of all the countries participating in the Conference on Disarmament, we will be laying the foundations to enable this forum to live up to the international community's expectations of us in the field of disarmament.

More than 20 years ago, on 20 July 1969, man reached the Moon. On that momentous occasion, the representatives of the human race left a clear and bold message: "Here men from the planet Earth first set foot upon the Moon. We came in peace for all mankind". We hope that this commitment to peace will be answered with fruitful results in this Conference.

The PRESIDENT: I thank the representative of Peru for his statement and the kind words addressed to me. That concludes my list of speakers today. Does any other member wish to take the floor?

(The President)

At the request of the Chairman of the Ad hoc Committee on the Prevention of an Arms Race in Outer Space, I wish to inform you that his consultations on the programme of work of the Ad hoc Committee are continuing and, accordingly, the meeting to be held by the Ad hoc Committee this afternoon at 3 p.m. is cancelled.

I have no other business for today. I now intend to adjourn this plenary meeting. The next plenary meeting of the Conference on Disarmament will be held on Thursday 22 March, at 10 a.m.

The meeting rose at 10.45 a.m.